

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY 8 D.C.  
05 MAY 16 PM 3:39  
ROBERT R. DI TROIO  
CLERK OF U.S. DIST. CT  
W.D. OF TN. JACKSON

BRANDY MORRIS, )  
Plaintiff, )  
v. ) Case No. 1:04-1308 T/An  
STATE OF TENNESSEE )  
(DEPARTMENT OF CORRECTIONS )  
Defendant. )

**SCHEDULING ORDER**

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

**RULE 26(a)(1) DISCLOSURE DEADLINE: JUNE 10, 2005**

**JOINING PARTIES: JUNE 30, 2005**

**AMENDING PLEADINGS: JUNE 30, 2005**

**COMPLETING ALL DISCOVERY:**

- (a) **DOCUMENT PRODUCTION: DECEMBER 19, 2005**
- (b) **DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: DECEMBER 19, 2005**
- (c) **EXPERT DISCLOSURE (Rule 26):**
  - (1) **DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: OCTOBER 17, 2005**
  - (2) **DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: NOVEMBER 15, 2005**

**FILING PRETRIAL MOTIONS (INCLUDING MOTIONS FOR SUMMARY JUDGMENT): JANUARY 17, 2006.**

Any response to a dispositive motion, including a motion for summary judgment, shall be filed within 30 days of the filing of the dispositive motion.

**FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

(a) **PLAINTIFF: MARCH 1, 2006**

(b) **DEFENDANT: MARCH 20, 2006**

Parties shall have 14 days after service of final lists of witnesses and exhibits to file objections under rule 26(a)(3).

The trial of this matter is expected to last three to four days, and is **SET FOR JURY TRIAL** at 9:30 a.m. on APRIL 17, 2006. A joint pretrial order shall be submitted no later than 5:00 p.m. on APRIL 7, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

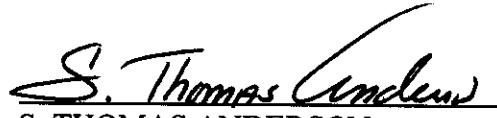
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

***The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.***

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

DATE: May 16, 2005

AGREED AND APPROVED FOR ENTRY:

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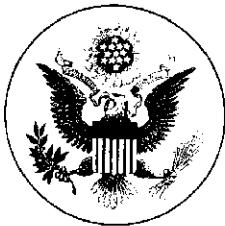
By: Justin S. Gilbert  
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Michael L. Russell

Attorneys for Plaintiff

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# Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 1:04-CV-01308 was distributed by fax, mail, or direct printing on May 17, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT